



COUNCIL MINUTES

July 1, 2008

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 1, 2008 at 5:47 p.m.

COUNCIL PRESENT

Mayor Scott Smith
Alex Finter
Dina Higgins
Kyle Jones
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Councilmember Finter participated in the meeting through the use of telephonic equipment.

Invocation by Director of Public Information and Communications Steve Wright.

Pledge of Allegiance was led by Councilmember Dina Higgins.

Mayor's Welcome.

Mayor Smith welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

1. Take action on all consent agenda items.

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

It was moved by Councilmember Somers, seconded by Councilmember Kavanaugh, that the consent agenda items be approved.

Carried unanimously.

*2. Approval of minutes of previous meetings as written.

Minutes from the May 1 and 29 and June 23 and 26, 2008 Council Meetings.

3. Conduct a public hearing prior to the release of the petition for signatures for the following proposed annexations:

3a. **A07-15 (District 5) Deleted.**

3b. **A08-08 (District 6)** Annexing land located south of Elliot Road between Ellsworth Road and Signal Butte Road (3,137.43± ac.). Initiated by Grady Gammage, Jr. Esquire, Gammage & Burnham PLC, representing the property owner.

Mayor Smith announced that this is the time and place for a public hearing regarding the proposed annexation of land located south of Elliot Road between Ellsworth Road and Signal Butte Road.

There being no citizens present wishing to speak on this issue, Mayor Smith declared the public hearing closed.

4. Take action on the following liquor license application:

*4a. Buffalo Wild Wings Grill & Bar

New Restaurant License for Buffalo Wild Wings Grill & Bar, 6560 E Superstition Springs Blvd., Blazin Wings Inc. – Applicant; Carolyn J Chalupnik - Agent. This is new construction with no previous liquor license at this location **(District 6)**.

5. Take action on the following contracts:

*5a. Two-year renewal supply contract for Class 250 Gas Meters for the Utilities Department, Gas Division.

The Procurement Services Department recommends authorizing a two-year renewal of the contract with Measurement Control Systems at \$284,835.84 annually, based on estimated requirements, including applicable use tax.

*5b. Three-year supply contract for uniform garment purchases for various City Departments.

The Procurement Services Department recommends accepting the lowest, responsive and responsible bid from International Corporate Apparel, Inc. at \$158,676.22 annually, based on estimated quantities, including applicable sales tax.

*5c. Purchase of network cable for the new Municipal Court Building.

The Procurement Services Department recommends authorizing purchase from the State of Arizona Contract with Graybar Electric Company, Inc. at \$50,171.50, including applicable sales tax.

- *5d. Purchase of an electronic message center sign for the Arts & Cultural Department, Mesa Arts Center (Public Art Restricted Fund).

The Procurement Services Department recommends authorizing purchase from the Maricopa County Community College District contract with Young Electric Sign Company in the amount of \$70,519.03 including applicable taxes, removal of current signs and installation of the new sign.

- *5e. FY08/09 residential street overlays - Phase II, City of Mesa Project No. 06-044-006. **(District 1) Continued to the July 8, 2008 Regular Council Meeting.**

This project includes more than 289,000 square yards of asphalt pavement mill and overlay. The work will also include the installation of the Americans with Disabilities (ADA) compliant sidewalk ramps and other miscellaneous street improvements.

Recommend award to the low bidder, M.R. Tanner Construction, in the amount of \$3,038,500.00, plus an additional \$303,850.00 (10% allowance for change orders) for a total award of \$3,342,350.00. Funding is available from the approved FY 08/09 Transportation Operating Budget.

6. Introduction of the following ordinances and setting July 8, 2008, as the date of the public hearing on these ordinances:

- *6a. **A07-14 (District 5)** Annexing land located south and east of McDowell Road and Sossaman Road (2.09 ± ac.). Initiated by one of the property owners, William Black.

7. Take action on the following resolutions:

- *7a. Extinguishing a Drainage and Preservation Easement at 2825 North Kashmir Street – Resolution No. 9297. **(District 5)**

This easement is being extinguished to allow the construction of a backyard swimming pool.

- *7b. Approving and authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between Chester Real Estate, LLC, and the City of Mesa for the reimbursement of \$59,849.59 for street improvements that are being required by Mesa in conjunction with a proposed commercial development known as Chester's Harley-Davidson located at 922 South Country Club Drive. Mesa's estimated share of funding will come from the City Share Development Contribution, Preliminary Executive Budget Plan, 2008/2009, Page C19. **Deleted.**

- *7c. Approving and authorizing the City Manager to execute a Development Agreement for Deferral of Certain Roadway Improvements and City Share Reimbursement between Commercial Metals Company and the City of Mesa. The agreement outlines the deferral of East Pecos Road and South Meridian Road improvements that are being required by Mesa in conjunction with a proposed development known as CMC Steel Arizona located at 11444 East Germann Road. The identified future reimbursement of \$1,557,800.00 is the City's participation in the cost of regional pavement, storm drainage and street

lighting improvements associated with these streets. Mesa's estimated share of funding will come from a future FY Budget item – Resolution No. 9298.

- *7d. Amending the ballot for the Special Bond Election to be held on November 4, 2008 – Resolution No. 9299.

8. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen who wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

- *8a. **Z08-32 (District 1)** East and West of Dobson Road, along the 202 Freeway (south side). Modification of a Council Use Permit (Ordinance #4312). This request is to consider an additional freeway landmark monument sign with a double-sided electronic message display at the Riverview development. DeRito Kimco Riverview LLC – Doug Himmelberger, owner; Young Electric Sign Company – Kelee Walton, applicant – Ordinance No. 4862. ***(Held a neighborhood meeting, notified property owners, homeowners' associations and registered neighborhoods.)***

P&Z Recommendation: Approval with Conditions (Vote: 7-0).

DRB Recommendation: Approval with Conditions (Vote: 4-1-1 with Boardmembers Bottomley, nay, DiBella, abstaining and Delight absent).

- *8b. **Z08-33 (District 5)** 8348 East Plymouth. Located west of Hawes Road north of McDowell Road (1.01+ acres). Rezone from Maricopa County R1-35 to City of Mesa R1-35. For the establishment of City of Mesa zoning on recently annexed property. Brian and Carrie Rogerson, owners; City of Mesa, applicant – Ordinance No. 4863.

PHO Recommendation: Approval with Conditions.

- *8c. **Z08-34 (District 5)** 8132 East Culver Street. Located west of Hawes Road south of McDowell Road (1.13+ acres). Rezone from Maricopa County R1-35 to City of Mesa R1-35. For the establishment of City of Mesa zoning on recently annexed property. Thomas and Cathleen Kane, owners; City of Mesa, applicant – Ordinance No. 4864.

PHO Recommendation: Approval with Conditions.

- *8d. **Z08-35 (District 6)** The 6900 block of South Ellsworth Road (east side). Located south of Pecos Road and east of Ellsworth Road (0.01+ acres). Rezone from Maricopa County Rural-43 to City of Mesa R1-43. For the establishment of City of Mesa zoning on recently annexed property. Williams Gateway Airport Authority, owner; City of Mesa, applicant – Ordinance No. 4865.

PHO Recommendation: Approval with Conditions.

- *8e. **Z08-36 (District 6)** The 6800 to 6900 block of South Ellsworth Road (west side). Located south of Pecos Road and west of Ellsworth Road (0.08+ acres). Rezone from Maricopa County Rural-43 to City of Mesa R1-43. For the establishment of City of Mesa

zoning on recently annexed property. Williams Gateway Airport Authority, owner; City of Mesa, applicant – Ordinance No. 4866.

PHO Recommendation: Approval with Conditions.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the meeting adjourned at 5:55 p.m.

SCOTT SMITH, MAYOR

ATTEST:

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 1st day of July 2008. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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